

M/D 1

IN THE UNITED STATES DISTRICT COURT FOR  
THE MIDDLE DISTRICT OF ALABAMA

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DEBRA P. HACKETT, CLK  
U.S. DISTRICT COURT  
MIDDLE DISTRICT ALA

Dennis Lindsey  
Full name and prison name of  
Plaintiff(s)

v.

See Attachment A  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

CIVIL ACTION NO. 2:21-cv-490-WHA-CSC  
(To be supplied by Clerk of U.S. District  
Court)

\_\_\_\_\_  
Name of person(s) who violated your  
constitutional rights. (List the names  
of all the person.)

I. PREVIOUS LAWSUITS

- A. Have you begun other lawsuits in state or federal court dealing with the same or similar facts involved in this action? YES ☐ No ☒
- B. Have you begun other lawsuits in state or federal court relating to your imprisonment? YES ☐ NO ☒
- C. If your answer to A or B is yes, describe each lawsuit in the space below. (If there is more than one lawsuit, describe the additional lawsuits on another piece of paper, using the same outline.)

1. Parties to this previous lawsuit:

Plaintiff(s) \_\_\_\_\_

Defendant(s) \_\_\_\_\_

2. Court (if federal court, name the district; if state court, name the county)

\_\_\_\_\_  
\_\_\_\_\_

3. Docket number \_\_\_\_\_
4. Name of judge to whom case was assigned \_\_\_\_\_
5. Disposition (for example: was the case dismissed? Was it appealed? Is it still pending ?) \_\_\_\_\_
6. Approximate date of filing lawsuit \_\_\_\_\_
7. Approximate date of disposition \_\_\_\_\_

II. PLACE OF PRESENT CONFINEMENT St. Clair County Jail

PLACE OR INSTITUTION WHERE INCIDENT OCCURRED Elmore  
Correctional Facility

III. NAME AND ADDRESS OF INDIVIDUAL(S) YOU ALLEGE VIOLATED YOUR CONSTITUTIONAL RIGHTS.

|    | NAME  | ADDRESS |
|----|---|---------|
| 1. | <u>See Attachment A - all defendants sued in official &amp;</u> |         |
| 2. | <u>individual capacities</u>                                    |         |
| 3. | _____   |         |
| 4. | _____   |         |
| 5. | _____   |         |
| 6. | _____   |         |

IV. THE DATE UPON WHICH SAID VIOLATION OCCURRED August 3, 2019

V. STATE BRIEFLY THE GROUNDS ON WHICH YOU BASE YOUR ALLEGATION THAT YOUR CONSTITUTIONAL RIGHTS ARE BEING VIOLATED:

GROUND ONE: Sixth, Eighth & Fourteenth Amendments  
for failure to protect. See Attachment B.

**Attachment A: Defendants**

Defendant No. 1: Jefferson Dunn  
Job or title: Commissioner  
Employer: Alabama Department of Corrections  
Address: 301 S. Ripley Street  
P.O. Box 301501  
Montgomery, AL 36130

Defendant No. 2: Charles Daniels  
Job or title: Associate Commissioner, Operations  
Employer: Alabama Department of Corrections (Former)  
Address: Unknown

Defendant No. 3: Arnaldo Mercado  
Job or title: Chief Law Enforcement Officer, Law Enforcement Services  
Employer: Alabama Department of Corrections  
Address: 301 S. Ripley Street  
P.O. Box 301501  
Montgomery, AL 36130

Defendant No. 4: Edward Ellington  
Job or title: Institutional Coordinator (Northern Region)  
Employer: Alabama Department of Corrections  
Address: 301 S. Ripley Street  
P.O. Box 301501  
Montgomery, AL 36130

Defendant No. 5: John Crow  
Job or title: Warden III  
Employer: Alabama Department of Corrections - currently Easterling CF (formerly Elmore CF)  
Address: 301 S. Ripley Street  
P.O. Box 301501  
Montgomery, AL 36130

Defendant No. 6: Unknown  
Job or title: Warden II  
Employer: Alabama Department of Corrections - Elmore CF (August 2019)  
Address: 301 S. Ripley Street  
P.O. Box 301501  
Montgomery, AL 36130

Defendant No. 7: Unknown  
Job or title: Warden I  
Employer: Alabama Department of Corrections - Elmore CF (August 2019)  
Address: 301 S. Ripley Street  
P.O. Box 301501  
Montgomery, AL 36130

Defendant No. 8: Gerald Tippins  
Job or title: Lieutenant  
Employer: Alabama Department of Corrections - Elmore CF  
Address: 301 S. Ripley Street  
P.O. Box 301501  
Montgomery, AL 36130

Defendant No. 9: Unknown  
Job or title: Shift Commander  
Employer: Alabama Department of Corrections - Elmore CF (August 2019)  
Address: 301 S. Ripley Street  
P.O. Box 301501  
Montgomery, AL 36130

Defendant No. 10: Unknown  
Job or title: Correctional Officer assigned to C-2 Dorm cubicle  
Employer: Alabama Department of Corrections - Elmore CF (August 2019)  
Address: 301 S. Ripley Street  
P.O. Box 301501  
Montgomery, AL 36130

Defendant No. 11: Unknown  
Job or title: Responding Correctional Officer(s)  
Employer: Alabama Department of Corrections - Elmore CF (August 2019)  
Address: 301 S. Ripley Street  
P.O. Box 301501  
Montgomery, AL 36130

STATE BRIEFLY THE FACTS WHICH SUPPORT THIS GROUND. (State as best you can the time, place and manner and person involved.)

See Attachment B.

GROUND TWO:

SUPPORTING FACTS:

GROUND THREE:

SUPPORTING FACTS:

## **Attachment B: Statement of Claim**

My name is Dennis Lindsey and I am currently incarcerated in the St. Clair County Jail. On August 3, 2019, I was physically assaulted by other inmates at Elmore Correctional Facility, in Elmore, Alabama. I suffered a traumatic brain injury in the attack that required brain surgery at Jackson Hospital in Montgomery, and left me in a comatose state in the intensive care unit (ICU) for approximately two weeks. Defendants did not inform my family about my attack and comatose state at Jackson Hospital until August 5, 2019, so my family also only received limited information about what happened to me and had to drive from Pensacola, Florida, to Montgomery on multiple occasions to get information about my medical status.

This was not the first time I was attacked in prison and I was vulnerable as a low-level offender in higher security prisons. At the time of the attack at Elmore, I was serving a 10-year sentence, for Burglary III, Receiving Stolen Property I, and Fraudulent Use of a Credit Card. I was scheduled to end my sentences for these property-related convictions on May 1, 2020, but was being held at a notoriously violent and understaffed medium security prison. Defendants Jefferson Dunn, Charles Daniels, Arnaldo Mercado, Edward Ellington, and John Crow were aware of the systemic problems at Elmore and that I was particularly vulnerable. However, Defendants did not take reasonable measures to assure my safety.

On August 3, 2019, two other inmates had been extorting me and then beat me in C-2 Dorm. My head was stomped on by the inmates and I laid on the floor bleeding from my head for with no officer response for over 30 minutes. Lt. Gerald Tippins was on duty at the time.

I was transported to Jackson Hospital in Montgomery, Alabama, and had brain surgery. My injuries were nearly fatal and I was on a ventilator for several days while I was kept in the ICU. I remained unconscious for approximately two weeks after the attack, and was hooked up to a feeding tube and trach tube approximately three weeks after my attack. In October 2019, over two months after my attack, I still could not walk or talk. I have regained some of my abilities since then but I am permanently disabled because of Defendants' failure to protect me at Elmore and their failure to timely respond to the attack.

I am also requesting that the court appoint counsel to assist me with this lawsuit because I am unable to interview witnesses to the attack or investigate, which is necessary because I was knocked unconscious and because I'm incarcerated at the St. Clair County Jail.

VI. STATE BRIEFLY EXACTLY WHAT YOU WANT THE COURT TO DO FOR YOU. MAKE NO LEGAL ARGUMENT. CITE NO CASES OR STATUTES.

Judgment in my favor & an award of damages  
against all defendants in an amount sufficient to  
compensate me for the physical & emotional  
injuries caused by defendants' deliberate indifference,  
and misconduct

Dennis Lindsey Jr.  
Signature of plaintiff(s)

I declare under penalty of perjury that the foregoing is true and correct.

Executed on July 14, 2021  
(Date)

Dennis Lindsey Jr.  
Signature of plaintiff(s)

Dennis Allen Little  
St Clair County Jail  
219 7th Ave  
Ashville, AL 35953



Middle District of Alabama Court  
c/o Court clerk  
1 Church St  
Montgomery, AL 36104

Legal Mail

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